

REMARKS

The above amendments and these Remarks are in reply to the Final Office Action mailed August 14, 2006. Claims 3-15, 18-21, 32, 37, 39, 41, 42, 44-60, 62, 64, and 66 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 3-15, 18-21, 32, 37, 39, 44, 45, 47-49, 51-53, 55-57, 59, 60, 62, 64 and 66. Claims 41, 42, 46, 46, 50, 54 and 58 are withdrawn from consideration. The present response amends claims 3-6, 8, 12, 14-15, 21, 60, 62, 64 and 66, leaving for the Examiner's present consideration claims 3-15, 18-21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 57, 59, 60, 62, 64 and 66. Reconsideration of the rejections is respectfully requested.

I. Claim Rejections – 35 USC § 103

Claims 3, 5-12, 18, 20, 21, 32, 37, 39, 44, 45, 47-49, 51-53, 55, 60, 62, 64 and 66 are rejected as being anticipated by Zarowin, *et al.* in "Rapid, Non-Contact, Damage Free shaping of Optical & Other Surfaces with Plasma Assisted Chemical Etching", 43rd Annual Symposium on Frequency Control 1989, 623-626, in view of Böhm, *et al.* in DE 19925 790.

The distinctions between Böhm and the present invention were discussed in detail in the Response filed on Oct. 25, 2004. Besides the shape of the plasma discharge created, the present invention is distinguishable from Böhm at least in the way the reactive species is created. Böhm uses the electromagnetic (EM) field radiated by a microwave antenna to create the reactive species directly from the precursor. In contrast, RAPP transfers energy of a radio frequency (RF) power source to excite the precursor via the plasma to create the reactive species. Compared to Böhm, such transfer of RF power

can take place well out of the range of the EM field developed by Böhm and the efficiency of the energy transfer is greater and more consistent. Claims 3, 5, 6, 8, 12, 21, 60, 62, 64 and 66 have been amended to include this distinction. Zarowin cannot anticipate such distinction either as discussed in previous responses. Since claims 7, 9-11, 18, 20, 32 depend on claim 21, claims 37, 45, and 49 depend on claim 62, claims 39, 47, and 51 depend on claim 66, claims 44, and 48 depend on claim 60, claims 3-12, 18, 20, 21, 32, 37, 39, 44, 45, 47-49, 51, 60, 62, 64 and 66 cannot be rendered obvious by Zarowin in view of Böhm for at least this reason, and Applicant respectfully requests that the rejections with respect to these claims be withdrawn.

II. Claim Rejections – 35 USC 103

1. Claims 3-12, 19-21, 32, 37, 39, 44, 45, 47-49, 51, 60, 62, 64 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollinger, *et al.* in “Rapid, Non-Contact Optical Figuring of Aspheric Surfaces with Plasma Assisted Chemical Etching (PACE)” in SPIE Vol. 1333 page 44-57 in view of Zarowin and further in view of Böhm.

Bollinger in view of Zarowin cannot anticipate the present invention in independent claims 3-6, 8, 21, 60, 62, 64 and 66 as discussed in previous Responses. Böhm cannot anticipate the present invention either as discussed above. Since claims 7, 9-11, 19, 20, and 32 depend on claim 21, claims 37, 45, and 49 depend on claim 62, claims 39, 47, and 51 depend on claim 66, claims 44, and 48 depend on claim 60, claims 3-12, 19-21, 32, 37, 39, 44, 45, 47-49, 51, 60, 62, 64 and 66 cannot be rendered obvious over Bollinger in view of Zarowin and further in view of Böhm under 35 U.S.C. 103(a) for at least this reason, and Applicant respectfully requests that the rejections with respect to these claims be withdrawn.

2. Claims 13-15, 56, 57 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bollinger in view of US Patent 5,961,772 issued to Selwyn, in view of Böhm and further in view of U.S. Patent 6,068,784 issued to Collins *et al.*

Bollinger in view of Selwyn and further in view of Collins cannot anticipate independent claims 13-15, 21, 60, 62, and 66 as discussed in the previous Responses. Böhm cannot anticipate the present invention either as discussed above. Since claim 56 depends on claim 60, claim 57 depends on claim 62, and claim 59 depends on claim 66, claims 13-15, 56, 57 and 59 cannot be rendered obvious over Bollinger in view of Selwyn, in view of Böhm and further in view of Collins under 35 U.S.C. 103(a) for at least this reason, and Applicant respectfully requests that the rejections with respect to these claims be withdrawn.

III. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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By: 

David T. Xue
Reg. No. 54,554

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800
Facsimile: (415) 362-2928
Customer No. 23910